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8 Attorneys for Defendant Billie Dempsey

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13 IN THE UNITED STATES DISTRICT COURT  
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
15 OAKLAND DIVISION

16  
17 UNITED STATES OF AMERICA,

No. CR 11-0291 SBA

18 Plaintiff,

STIPULATION AND ORDER TO  
CONTINUE SENTENCING FROM JULY  
10 TO SEPTEMBER

19 v.  
20

21 BILLIE DEMPSEY,

Date: July 10, 2012

Time: 10:00 a.m.

Court: Hon. Saundra Brown Armstrong

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24 Defendant.  
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27 The above-captioned matter is set on July 10, 2012 at 10:00 a.m. before the Hon.  
28 Saundra Brown Armstrong for sentencing. The parties request that the Court vacate this date  
and reset the matter for sentencing on September 11, 2012 at 10:00 a.m.

29 The reason for this request is that Mr. Dempsey continues to suffer from health  
30 complications. On April 16, 2012, surgery was performed on Mr. Dempsey to address one or  
31

32 Stipulation and Proposed Order to Continue  
33 CR-11-0291 SBA

1 more hernias he was suffering from at the time. Unfortunately, his recovery from surgery has  
2 been slow. He has continued pain at the surgical site and is suffering from numbness and  
3 tingling in his leg and foot. His doctors are continuing to monitor and treat this condition and  
4 have prescribed a course of physical therapy. He was given 12 weeks of physical therapy  
5 which are scheduled to conclude by September 1<sup>st</sup>.

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7 In addition, Mr. Dempsey was recently informed that a cyst was found on his kidney.  
8 Mr. Dempsey was told that he would need additional testing to determine the nature of the cyst.  
9 He is waiting for Kaiser to call him to set up that appointment.

10 Finally, Mr. Dempsey continues to suffer from incontinence and intestinal problems.  
11 His doctors so far have been unable to diagnose the problem or alleviate his symptoms. As a  
12 result, Mr. Dempsey has been referred to different specialists for treatment. Mr. Dempsey has  
13 an appointment in July for follow up on this issue.

14 Both parties, along with Connie Cook, the US Probation Officer assigned to this case,  
15 agree that Mr. Dempsey should be allowed to complete physical therapy and continue  
16 diagnostic testing and treatment for any kidney or intestinal issues before sentencing in this  
17 matter.

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1           The parties therefore stipulate and respectfully request that the sentencing currently  
2 scheduled for July 10, 2012 be reset to September 11, 2012.  
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5 SO STIPULATED.  
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7 Dated: June 26, 2012

\_\_\_\_\_/S/\_\_\_\_\_  
James Mann  
Assistant United States Attorney

10 Dated: June 26, 2012

\_\_\_\_\_/S/\_\_\_\_\_  
Camellia Baray  
Attorney for Mr. Dempsey

16           For good cause shown, the sentencing hearing set for July 10, 2012 is continued to  
17 September 11, 2012 at 10:00 a.m.

20 IT IS SO ORDERED.

24 DATED:      7/5/12

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Hon. Saundra Brown Armstrong  
United States District Judge